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1.0 EXECUTIVE SUMMARY

Spectrum Environmental, Inc. (Spectrum) has prepared this Phase I Environmental Site Assessment (PESA) report for the subject property known as Kaufmann & Associates, Inc. and located at 1111 Greenwood Crossings Court in Bessemer, Jefferson County, Alabama in accordance with the ASTM Practice E 1527-05, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The objective of this PESA was to identify, to the extent feasible *recognized environmental conditions* is association with the property, if present.

To accomplish this objective, Spectrum conducted a review of reasonably ascertainable¹ (and practically reviewable²) records, conducted a site reconnaissance, conducted interviews of persons knowledgeable of the site and surrounding areas, and evaluated the data for report preparation.

Based on the scope of work conducted, Spectrum revealed no evidence of recognized environmental conditions in connection with the subject property.

¹ Reasonably ascertainable – Information that is (1) publicly available, (2) obtainable from its source within reasonable time and cost constraints, and (3) practically reviewable.

² Practically Reviewable – Mean that information provided by source in a manner and in a form that, upon examination, yields information relevant to the property without the need for extraordinary analysis of irrelevant data.

2.0 INTRODUCTION

2.1 Purpose

The purpose of this PESA is to identify, to the extent feasible pursuant to the processes prescribed in the American Society of Testing and Materials (ASTM), E 1527-05 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, *recognized environmental conditions* (RECs) in connection with the property, if present. The term REC means “the presence of likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property”. This term also includes hazardous substances or petroleum products even under conditions in compliance with laws. This term is not intended to include *de minimis* conditions that generally do not present a threat to human health of the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be *de minimis* are specifically excluded from the definition of RECs and are not considered RECs.

The PESA Process is intended to permit a *user* to satisfy one of the requirements to qualify for the *innocent landowner*³, *contiguous property owner*⁴, or *bona fide*

³ Innocent Landowner Defense: A person may qualify as one of three types of innocent landowners: (i) a person who “did not know and had no reason to know” that contamination existed on the property at the time the purchaser acquired the property; (ii) a government entity which acquired the property by escheat, or through any other involuntary transfer or acquisition, or through the exercise of eminent domain authority by purchase or condemnation; and (iii) a person who “acquired the facility by inheritance or bequest.”

⁴ Contiguous Property Owner Liability Protection: A person may qualify for the contiguous property owner liability protection if, among other requirements, such person owns real property that is contiguous to, and that is or may be contaminated by hazardous substances from other real property that is not owned by that person. Furthermore, such person conducts All Appropriate Inquiry at the time of acquisition of the property and did not know or have reason to know that the property was, or could be, contaminated by a release or threatened release from the contiguous property.

*prospective purchaser*⁵ limitations on CERCLA liability (*landowner liability protections*).

2.2 Detailed Scope of Services

Spectrum employs a phased approach to site investigations by outlining and completing specific work tasks. A PESA usually consists of a records review, site reconnaissance, personal interviews, and the generation of a report. Results of the initial PESA help assess whether further investigations may be necessary.

2.2.1 Records Review

The purpose of the records review is to obtain and review records that will help identify RECs in connection with the property. Accuracy and completeness of record information varies among information sources, including governmental sources. Record information is often inaccurate or incomplete. The user or environmental professional is not obligated to identify mistakes or insufficiencies in information provided. A listing of standard environmental record sources is listed below.

⁵ Bona fide prospective purchaser liability protection: A person may qualify as a bona fide prospective purchaser if, among other requirements, such person made “all appropriate inquiries into the previous ownership and uses of the facility in accordance with generally accepted good commercial practices.” Knowledge of contamination resulting from all appropriate inquiry would not generally preclude this liability protection. A person must make all appropriate inquiry on or before the date of purchase and the facility must have been purchased after January 11, 2002.

<i>(where available)</i>	<i>(miles)</i>
Federal NPL Site List	1.0
Federal delisted NPL	1.0
Federal CERCLIS list	0.5
Federal CERCLIS NFRAP list	0.5
Federal RCRA CORRACTS list	1.0
Federal RCRA TSD list	0.5
Federal RCRA Generators list	Property and Adjoining
Federal institutional control/ engineering control registries	0.5
Federal ERNS list	Property only
State/tribal list of hazardous state waste sites	1.0
State NPL	1.0
State CERCLIS	0.5
State Landfill	0.5
State LUST	0.5
State Registered UST/AST	0.3
State institutional control/ engineering control registries	0.5
State VCP sites list	0.5
State Brownfield sites list	0.5

Other sources of information that were potentially reviewed included, but was not limited to, the Alabama Department of Environmental Management, the Fire Department, Planning Department, Building Permits Department, aerial photographs, Sanborn fire insurance maps, property tax files, recorded land title records, topographic maps, and city directories.

2.2.2 Site Reconnaissance

The objective of the site reconnaissance was to obtain information indicating the likelihood of identifying RECs in connection with the property. Spectrum personnel experienced in hazardous materials/petroleum product surveys conducted a site reconnaissance. Surface conditions and current activities on the subject property and on adjoining properties were observed. An inventory of potential contaminant sources on, and adjoining, the subject property was completed on the basis of regulatory agency

record reviews and visual observations. Limitations encountered during the site reconnaissance are included in the discussion of the report.

2.2.3 Interviews

The objective of interviews was to obtain information indicating RECs in connection with the property. Interviews with past and present owner, operators, and/or occupants of the property, where possible, were conducted as part of this PESA. Other persons potentially interview could include State and local government officials, local fire department personnel, local historians, and others that may have specialized knowledge of the site and/or surrounding properties.

2.2.4 Evaluation and Report Preparation

This PESA report summarizes the findings from the tasks described above. Spectrum has provided a discussion of potential and existing contamination sources, and conclusions regarding our evaluation of the likelihood of contamination on the subject property.

2.3 Significant Assumptions

No significant assumptions were made during the conduction of this PESA unless otherwise stated.

2.4 Limitations and Exceptions

Spectrum has performed our services for this project in accordance with our agreement, ASTM Practice E 1527-05, and the site-specific requirements provided by client, where applicable. No guarantees are either expressed or implied. This PESA did not include the identification of asbestos-containing building materials, radon, lead-based Paint, lead in drinking water, wetlands, regulatory compliance, cultural or historical resources, industrial hygiene, health and safety, ecological resources, endangered species, indoor air quality (Vapor Intrusion), biological agents, and mold, unless otherwise authorized.

The records search was limited to information available from public sources; this information is changing continually and is frequently incomplete. Unless we have actual knowledge to the contrary, all information obtained from interviews or provided to us has been assumed to be correct and complete. Spectrum does not assume any liability for misrepresentation of information; or for items not visible, accessible, or present on the subject property at the time of the site visit.

There is no investigation that is thorough enough to preclude the presence of materials on the subject property that presently, or in the future, may be considered hazardous. Because regulatory evaluation criteria are constantly changing, concentrations of contaminants present and considered to be acceptable may, in the future, become subject to different regulatory standards and require remediation. Opinions and judgments expressed herein, which are based on our understanding and interpretation of current regulatory standards, should not be construed as legal opinions.

2.5 Special Terms and Conditions

There are no special terms and/or conditions pertaining to this PESA.

2.6 User Reliance

This report is certified to Mr. Andy Kaufmann and his respective affiliates, successors, and assigns. Accordingly, Mr. Andy Kaufmann has the right to rely on this report and all of the contents herein. Any reliance on this report by other parties shall be at such party's sole risk.

3.0 SITE DESCRIPTION

3.1 Location and Legal Description

The subject property is described as being located in NW 1/4, SE ¼ of Section 35, Township 20 South, Range 4 West as depicted on the U.S.G.S. Quadrangle Map – Greenwood, Alabama (Figure 2166001-1). The subject property is further described with its center being located at 33° 20' 26.16'' North Latitude and 86° 55' 43.59'' West Longitude in Bessemer, Jefferson County, Alabama. A legal description of the property was not provided to Spectrum and is not presented in this report.

3.2 Site and Vicinity General Characteristics

The subject property is located in a commercial district as part of the Greenwood Crossings business park. The subject property is located at an approximate elevation of 523 feet with a general west- southwest topographic gradient.

3.3 Current Use of Property

Currently the subject property is occupied by Kaufmann & Associates, Inc. which operates an advertising specialty company where activities include the storage and retail sale/advertising of imprinted merchandise including, but not limited to shirts, golf apparel, umbrellas, knives, mugs, clocks and pens.

3.4 Descriptions of Structures, Roads, and Other Site Improvements

A single two-story building occupies the subject property and concrete employee/customer parking lots exist on the eastern and southern portions of the subject property. The remaining portion of the subject property consists of grass, trees, and shrubs. The property is serviced with city water, gas heat, plumbed to sanitary sewer, and electrical service is provided via overhead utilities.

Stormwater runoff is generally to the south and into two gravel swales located on the southwestern most and southeastern most portions of the subject property. Both gravel swales drain to an earthen swale that trends west to east along the southern boundary of the subject property.

3.5 Current Uses of Adjoining Properties

The subject property is bound to the east by Greenwood Crossings Court and to the west by an undeveloped wooded area. Located further east across Greenwood Crossings Court is an office building and a vacant parcel of land consisting of opportunistic vegetation. A residential area is located further west of the subject property. An office building facility is located to the south and White Industries copier supply facility is located to the north.

4.0 USER PROVIDED INFORMATION

4.1 Title Records

Title records for the subject property were not provided to Spectrum and are not included in this report.

4.2 Environmental Liens or Activity/Use Limitations

Based on a review of a site questionnaire completed by the user, the user is not aware of any liens or other activity/use limitations have been imposed on the subject property.

4.3 Specialized Knowledge

Based on a review of a site questionnaire by the user, the user is not aware of any specialized knowledge or experience that is material to the identification of recognized environmental conditions to the subject property.

4.4 Commonly Known or Reasonably Ascertainable Information

Based on a review of a site questionnaire by the user, the user is not aware or knows of any reasonably ascertainable information within the local community about the property that is material to the identification of recognized environmental conditions to the subject property.

4.5 Valuation Reduction for Environmental Issues

Based on a review of a site questionnaire by the user, the purchase price of the property will ultimately be determined by auction.

4.6 Property Owner, Manager, and/or Occupant Information

The subject property is currently owned by Mr. Andy Kaufmann.

4.7 Reason for Performing PESA

This PESA has been conducted to identify recognized environmental conditions in connection with the property. This PESA was conducted prior to the sale of the subject property via absolute action.

5.0 RECORDS REVIEW

5.1 Standard Environmental Record Sources

Environmental Data Resources, Inc (EDR) conducted a search of available environmental records. The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-05) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

EDR's search of available ("reasonably ascertainable") government records on the target property and within the search radius around the target property included the following databases:

FEDERAL RECORDS

- NPL - National Priority List
- Proposed NPL - Proposed National Priority List Sites
- Delisted NPL - National Priority List Deletions
- NPL Liens-Federal Superfund liens
- CERCLIS - Comprehensive Environmental Response, Compensation, and Liability Information System
- CERC-NFRAP - CERCLIS No Further Remedial Action Planned
- Liens 2-CERCLA Lien Information
- CORRACTS - Corrective Action Report
- RCRA-TSDF - Resource Conservation and Recovery Act Information
- RCRA-LQG - Resource Conservation and Recovery Act Information
- RCRA-SQG - Resource Conservation and Recovery Act Information
- RCRA-NonGen- RCRA Non Generators
- ERNS - Emergency Response Notification System
- HMIRS - Hazardous Materials Information Reporting System
- DOT OPS- Incident and Accident Data
- US ENG CONTROLS - Engineering Controls Sites List
- US INST CONTROL - Sites with Institutional Controls
- DOD - Department of Defense Sites
- FUDS - Formerly Used Defense Sites
- US BROWNFIELDS - A Listing of Brownfields Sites
- CONSENT - Superfund (CERCLA) Consent Decrees
- ROD - Records Of Decision
- UMTRA - Uranium Mill Tailings Sites
- ODI - Open Dump Inventory
- TRIS - Toxic Chemical Release Inventory System
- TSCA - Toxic Substances Control Act

Federal Records (continued...)

FTTS FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
LUCIS- Land Use Control Information System
DEBRIS REGION 9- Torres Martinez Reservation Illegal Dump Site Locations
HIST FTTS- FIFRA/TSCA Tracking System Administrative Case Listing
ICIS- Integrated Compliance Information System
SSTS - Section 7 Tracking Systems
PADS- PCB Activity Database System
MLTS - Material Licensing Tracking System
MINES - Mines Master Index File
RADINFO- Radiation Information Database
FINDS - Facility Index System/Facility Registry System
RAATS - RCRA Administrative Action Tracking System

STATE AND LOCAL RECORDS

SHWS - Hazardous Substance Cleanup Fund
SWF/LF - Permitted Landfills
SWRCY - Recycling/Recovered Materials Processors Directory
LUST - Leaking Underground Storage Tank Listing
AOCONCERN - Area of Concern
UST - Underground Storage Tank Information
LAST - List of AST Release Incidents
AST - Aboveground Storage Tank Sites
SPILLS - Emergency Response Data
INST CONTROL - Land Division Brownfields 128(a) Program Site Listing
VCP - Cleanup Program Inventory
BROWNFIELDS - Land Division Brownfields 128(a) Program Site Listing
CDL - Clandestine Methamphetamine Lab Sites
Tier 2- Tier 2 Data Listing

TRIBAL RECORDS

INDIAN RESERV - Indian Reservations
INDIAN ODI- Report of the Status of Open Dumps on Indian Lands
INDIAN LUST- Leaking Underground Storage Tanks on Indian Land
INDIAN UST- Underground Storage Tanks on Indian Land

EDR PROPRIETARY RECORDS

Manufactured Gas Plants EDR Proprietary Manufactured Gas Plants

Target Property

The target property was not listed in any of the databases searched by EDR.

Surrounding Property

Federal Records

RCRA-CESQG: RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat, and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

A review of the RCRA-CESQG list, as provided by EDR, and dated 3/06/2008 has revealed that there is 1 RCRA-CESQG site within approximately 0.25 miles of the target property. The site is identified as Gambles Auto & Service (2515 Morgan Road) located 473 feet to the north of the target property. This site is at a relative equal/higher elevation than the target property and according to the EDR, there are several violations associated with this site. This site is further discussed in the Opinions Section 9.0 of this report.

State and Local Records

UST: The Underground Storage Tank database contains registered USTs. USTs are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA). The data come from the Department of Environmental Management's UST Data with Owner/Site/Tank Information database.

A review of the UST list, as provided by EDR, and dated 12/10/2007 has revealed that there are 2 UST sites within approximately 0.25 miles of the target property. The sites are both located at a relative elevation lower than the target property and are identified as Super Value Gas (4001 Greenwood Road) located 813 feet to the northwest and Denson

A Roy (2497 Morgan Road) located 997 feet to the north-northwest of the target property. These sites are discussed further in the Opinions Section 9.0 of this report.

Four sites were identified in the database report that due to inaccurate or incomplete address information could not be mapped, hence were listed as Orphan Sites. During Spectrum's reconnaissance of the subject and surrounding properties, none of these sites were identified within the prescribed search distance of the subject property. Hence, it does not appear that these sites would represent an environmental liability to the subject property.

5.2 Additional Environmental Record Sources

To enhance and supplement the standard environmental record sources listed above, local records and/or additional state or tribal records can be checked when in the judgment of the environmental professional, such additional records are (1) reasonably ascertainable, (2) are sufficiently useful, accurate, and complete, and (3) are generally obtained pursuant to local good commercial or customary practices. No additional environmental records sources were deemed sufficiently useful to evaluate recognized environmental conditions in association with the subject property. Therefore, an evaluation as to whether or not those records did exist and if they were reasonable ascertainable was not conducted.

5.3 Physical Setting Sources

The subject property is described as being located in NW 1/4, SE 1/4 of Section 35, Township 20 South, Range 4 West as depicted on the U.S.G.S. Quadrangle Map – Greenwood, Alabama. The subject property is further described with its center being located at 33° 20' 26.16'' North Latitude and 86° 55' 43.59'' West Longitude in Bessemer, Jefferson County, Alabama.

5.4 Historical Property Use Information

Historical property use information was obtained through a search of readily available

and reasonable ascertainable sources that included a review of Sanborn Fire Insurance Maps, Historical Aerial Photographs, and interviews with persons knowledgeable of the site. A Discussion of the Sanborn Fire Insurance maps and Historical Aerial Photographs is provided below and the interviews with persons knowledgeable of the site are provided in Section 7.0.

5.4.1 Sanborn Fire Insurance Map Review

A review of Sanborn Fire Insurance Maps as provided by EDR showed that there was no coverage for the subject property area.

5.4.2 Historical Aerial Photographs

Historical aerial photographs for the subject property were obtained through University of Alabama's Cartography Lab located in Tuscaloosa, Tuscaloosa County, Alabama. Historical aerial photograph for the subject property area were available for the years of 1956, 1960, 1967, 1992, and 1997. A summary of the aerial photographs for the subject property area is provided below.

1956, 1960, 1967, and 1992 Historical Aerial Photographs

In all of these historical aerial photographs, the subject property did not have any apparent buildings/structures/improvements and appeared to be undeveloped woodlands.

1997 Historical Aerial Photograph

The woodlands depicted in previous historical photographs was been cleared; however, no discernable buildings, structures, or other improvements were apparent on the subject property.

5.5 Historical Adjoining Property Use Information

Historical use(s) information of adjoining property was obtained through a search of readily available and reasonable ascertainable sources that included a review of Sanborn Fire Insurance Maps, Historical Aerial Photographs, and interviews with persons

knowledgeable of these sites. A Discussion of the Sanborn Fire Insurance maps and Historical Aerial Photographs is provided below and interviews with persons knowledgeable of the site are provided in Section 7.0.

5.5.1 Sanborn Fire Insurance Map Review

A review of Sanborn Fire Insurance Map, obtained from EDR showed that there was no coverage for the surrounding property area.

5.5.2 Historical Aerial Photographs

Historical aerial photographs for the surrounding property area were obtained through the University of Alabama's Cartography Lab located in Tuscaloosa, Tuscaloosa County, Alabama. Historical aerial photographs for the surrounding property area were available for the years of 1956, 1960, 1967, 1992, and 1997. A summary of the aerial photographs for the surrounding property area is provided below.

1956 and 1960 Historical Aerial Photographs

In both historical aerial photographs, the surrounding properties to the east and south appear to consist of undeveloped woodlands with no discernable buildings and/or structures. The surrounding property to the west appears to consist of a mix of cleared land and woodlands with no discernable buildings, and the surrounding property to the north appears to consist of woodlands with one discernable building located across Morgan Road where the present day Gamble Auto facility is located.

1967 Historical Aerial Photograph

The surrounding property to the east and south has not changed significantly from the 1960 photograph. The surrounding property to the north has not changed significantly from the 1960 photographs with the exception of additional land clearing. The surrounding property to the west appears to consist of a mix of cleared land and woodlands with residential homes occupying portions of the western surrounding properties.

1992 and 1997 Historical Aerial Photographs

The surrounding properties look similar to that of the present day with a mix of woodlands and residential homes located to the west and undeveloped woodlands located to the south. The surrounding property to the east is now commercial and the present day location of the CVS Operations building. The surrounding property to the north consists of cleared land with the present day Gambles Auto facility located further north across Morgan Road.

6.0 SITE RECONNAISSANCE

6.1 Methodology and Limiting Conditions

Spectrum conducted a visual reconnaissance of the site on April 21, 2008. Spectrum personnel (Scott Hassler and Adam Ulishney) walked the property in a general grid pattern to observe and/or otherwise attempt to identify potential recognized environmental conditions. During the reconnaissance, no limiting conditions prohibited Spectrum from observing the property.

6.3 General Site Setting

The subject property is located in the Birmingham-Big Canoe Valley District of the Alabama Valley and Ridge Physiographic Province. Altitudes in the Birmingham-Big Canoe Valley range from about 500 feet in Jefferson County to about 600 feet in St. Clair County. Drainage is generally west to southwest into the Black Warrior River tributaries across Jefferson County (Planert and Pritchett, 1989). The subject property is located at an elevation of 523 feet with a general west-southwest topographic gradient. Surface soils of the subject property are of the Montevallo-Nauvoo Series and consist of well drained soils that are moderately permeable and formed in residuum from shale, siltstone, and sandstone (Spivey, 1982).

The site is underlain by the Mississippian in age Floyd Shale. The unit consists of dark gray, sideritic in part, with thin beds of sandstone, limestone, and chert are locally present (W. Edward Osborne, Michael W. Szabo, Charles W. Copeland, Jr., and Thorton L. Neathery).

6.3 Exterior Observations

The subject property is occupied by a steel framed, two-story building. The eastern and southern portions of the subject property was comprised of concrete and used for customer/employee vehicle parking. Located on the southern parking lot portion, was a 5-gallon, partially full Senergy bucket. Upon inspection the lids were properly sealed,

and no staining or unusual odor was observed in this area. The western and northern portions of the subject property were landscaped with grass, trees and shrubs. Located at the rear of the building was a debris pile containing wood, metal, and plastic piping. In this area Spectrum observed two, partially full 5-gallon buckets of Thorocoat. Upon inspection, the lids were properly sealed and no staining or unusual odor was observed in this area. Located on the northwestern most portion of the subject property is a power pole with three associated transformers. Upon inspection, no staining was observed on the ground surface beneath the pole or on the transformer pole.

6.4 Interior Observations

The building located on the subject property is divided into two sections. The eastern portion of the building is comprised of a mix of linoleum tile and carpet floor, sheetrock walls, and drop ceilings. This portion of the building consists of a showroom, several business/administrative offices, a conference room, and a kitchen. No hazardous materials/petroleum products were observed in this section of the building.

The western portion of the building consists of a warehouse with an unfinished second story loft. The warehouse portion consists of concrete floors and no floor drains. Metal shelves containing materials of stocked merchandise was located in the warehouse section of the building. No hazardous materials/petroleum products were observed in this portion of the building.

7.0 INTERVIEWS

Spectrum personnel conducted an interview with Mr. Andy Kaufmann who currently owns the subject property and has owned the subject property since its first development in 1998. Mr. Kaufmann informed Spectrum that the subject property consisted of undeveloped woodlands when he purchased the subject property in 1998. The subject property was first developed as an office/warehouse building in 1998 and remains the same as present day. According to Mr. Kaufmann, since his purchase of the subject property he has operated a promotional advertising company where activities have including business and administrative services as well as warehouse storage of consumer apparel and items. He informed Spectrum that there has never been an underground or aboveground storage tank located on the subject property and to the best of his knowledge the subject property was never exposed to the storage or use of petroleum products/hazardous waste. According to Mr. Kaufmann, the earthen area vacant of vegetation on the northern portion of the property was due to landscaping activities (weed eater) with grass being difficult to grow in that area due to lack of topsoil.

8.0 FINDINGS

Spectrum has conducted a review of readily available and reasonably ascertainable records for the site, conducted a site reconnaissance along with interviews with persons knowledgeable of the site and surrounding properties, and evaluated the data during the preparation of this report. Based on our evaluation of the data, Spectrum presents the following findings:

- The subject property historically consisted of vacant, vegetative cover, based on historical aerial photographs, until its first development in 1998 as a commercial office/warehouse building. Since that time the subject property has operated as a promotional advertising company where activities have included business/administrative services and storage of retail apparel and miscellaneous items;
- Located on the northwestern portion of the subject property is a power pole with three associated transformers. Upon inspection, the transformers observed were in good condition and no staining was observed on the bottom of the pole or on the ground surface beneath this pole with associated transformers;
- Spectrum observed partially filled 5-gallon containers (Senergy and Thorocoat products) on the subject property. Upon inspection, these containers were properly sealed and no staining was observed on the ground surface in these areas;
- According to the EDR, 2 UST sites were identified as Super Value Gas (4001 Greenwood Road) located 813 feet to the northwest and Denson A Roy (2497 Morgan Road) located 997 feet to the north-northwest of the subject property; and

- According to the EDR, 1 RCRA-CESQG site was identified as Gambles Auto & Service (2515 Morgan Road) located 473 feet to the north of the subject property. This site is located at a relative equal/higher elevation than the subject property and was listed to have violations in connection with their operations.

9.0 OPINION

Based on the information obtained during the site reconnaissance, records reviews, and interviews, Spectrum has evaluated current and historical information pertaining to the subject and surrounding properties. Based on these evaluations, opinions regarding conditions observed and the classification of these conditions is presented below. For each condition, Spectrum has classified each as a recognized environmental condition⁶, a historical recognized environmental condition⁷, or presents an opinion why the condition is not a recognized environmental condition.

- The subject property historically consisted of vacant, vegetative cover, based on historical aerial photographs, until its first development in 1998 as a commercial office/warehouse building. Since that time the subject property has operated as a promotional advertising company where activities have included business/administrative services and storage of retail apparel and miscellaneous items. Based on Spectrum's review of historical aerial photographs, no recognized environmental conditions were identified in connection with the subject property.

⁶ *Recognized Environmental Condition* - The presence or likely presence of any *hazardous substances* or *petroleum products* on a *property* under conditions that indicate an existing release, a past release, or a *material threat* of a release of any *hazardous substances* or *petroleum products* into structures on the *property* or into the ground, ground water, or surface water of the *property*. The term includes *hazardous substances* or *petroleum products* even under conditions in compliance with laws. The term is not intended to include de minimis conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis are not *recognized environmental conditions*.

⁷ *Historical Recognized Environmental Condition*—an environmental condition which in the past would have been considered a *recognized environmental condition*, but which may or may not be considered a *recognized environmental condition* currently. The final decision rests with the *environmental professional* and will be influenced by the current impact of the *historical recognized environmental condition* on the *property*. If a past release of any *hazardous substances* or *petroleum products* has occurred in connection with the *property* and has been remediated, with such remediation accepted by the responsible regulatory agency (for example, as evidenced by the issuance of a no further action letter or equivalent), this condition shall be considered an *historical recognized environmental condition* and included in the findings section of the *Phase I Environmental Site Assessment* report. The *environmental professional* shall provide an opinion of the current impact on the *property* of this *historical recognized environmental condition* in the opinion section of the *report*. If this *historical recognized environmental condition* is determined to be a *recognized environmental condition* at the time the *Phase I Environmental Site Assessment* is conducted, the condition shall be identified as such and listed in the conclusions section of the *report*.

- Located on the northwestern portion of the subject property is a power pole with three associated transformers. Upon inspection, the transformers observed were in good condition and no staining was observed on the bottom of the pole or on the ground surface beneath this pole with associated transformers; therefore this power pole with associated transformers does not represent a recognized environmental condition to the subject property.
- Spectrum observed partially filled 5-gallon containers (Senergy and Thorocoat products) on the subject property. Upon inspection, these containers were properly sealed and no staining was observed on the ground surface in these areas; therefore these containers do not represent a recognized environmental condition to the subject property.
- According to the EDR, 2 UST sits were identified as Super Value Gas (4001 Greenwood Road) located 813 feet to the northwest and Denson A Roy (2497 Morgan Road) located 997 feet to the north-northwest of the subject property. Due to the distance between these sites and the target property, the fact that these sites are located at a relatively lower elevation than the target property, and the fact that these sites were not listed as Leaking Underground Storage Tank (LUST) sites, these sites do not represent a recognized environmental condition to the subject property.
- According to the EDR, 1 RCRA-CESQG site was identified as Gambles Auto & Service (2515 Morgan Road) located 473 feet to the north of the subject property. This site is located at a relative equal/higher elevation than the subject property and was listed to have violations in connection with there operations. However, due to the distance from this site to the target property and the fact the violations were listed as compliance, reporting, and manifest issues and not releases, this site does not represent a recognized environmental condition to the target property.

10.0 CONCLUSION

Spectrum has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-05 of the subject property located at 1111 Greenwood Crossings Court in Bessemer, Jefferson County, Alabama. Any exceptions to, or deletions from, this practice are described herein. This assessment has revealed no evidence of recognized environmental conditions in connection with the subject property.

11.0 DEVIATIONS

The historical use of the property and surrounding properties could not be independently evaluated on five-year increments back to the first developed use of the property. The only independent historical records information that was readily available, reasonably ascertainable, and deemed to be useful, were the historical aerial photographs dated 1956, 1960, 1967, 1992, and 1997, and obtained from University of Alabama's Cartography lab. These historical aerial photographs show the subject property to consist of undeveloped woodlands until around 1997 when the subject property appears to consist of cleared land. Gaps in the data were filled through an interview with Mr. Andy Kaufmann, who is the current owner of the subject property and has been since its first development in 1998.

12.0 ADDITIONAL SERVICES

No additional services were provided as part of this PESA report.

13.0 REFERENCES

American Society of Testing and Materials (ASTM), Practice E 1527-05. Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

Environmental Data Resources Radius Map Report dated April 22, 2008.

Environmental Data Resources Sanborn® Map Report dated April 22, 2008.

Geologic Map of Alabama, 1989, Compiled by W. Edward Osborne, Michael W. Szabo, Charles W. Copeland, Jr., and Thorton L. Neathery.

Spivey, Lawson D. Jr., 1982. Soil Survey of Jefferson County, Alabama, United States Department of Agriculture, Soil Conservation Service.

United States Geological Survey, *Geohydrology and Susceptibility of Major Aquifers to Surface Contamination in Alabama; Area 4*. Planert, Michael and Pritchett, James L. Jr., ., Water Resources Investigations Report 88-4133. Tuscaloosa, Alabama 1989.

14.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

We declare that to the best of our professional knowledge and belief, we meet the definition of Environmental Professional⁸ responsible for conducting the Phase I Environmental Site Assessment and preparation of the report, as defined in §312.10 of 40 CFR Part 312. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Spectrum Environmental, Inc.

Scott Hassler P.G.
Vice President

⁸ Environmental Professional – (1) a person who possesses sufficient specific education, training, and experience necessary to exercise professional judgment to develop opinions and conclusions regarding conditions indicative of releases or threatened releases on, at, in, or to a property, sufficient to meet the objectives and performance factors in §312.20(e) and (f). (2) Such a person must (i) hold a current Professional Engineer's or Professional Geologist's license or registration from a state, tribe, or U.S. territory or have the equivalent of three years full-time relevant experience; or be licensed/certified by the Federal government, a state, tribe, or U.S. Territory to perform environmental inquiries as defined in §312.21 and have the equivalent of three years full-time relevant experience; or have a baccalaureate or higher degree from an accredited institution from an accredited institution of higher education in a discipline of engineering or science and the equivalent of five years of full time relevant experience; or have the equivalent of ten years of full time relevant experience.

15.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

SCOTT E. HASSLER, P.G.

Spectrum Environmental, Inc.
Vice President of Operations - Hydrogeologist

EDUCATION

University of Alabama - Tuscaloosa, Alabama, M.S., Geology, 1993
University of North Carolina - Wilmington, B.S., Geology, 1990

PROFESSIONAL EXPERIENCE

Spectrum Environmental Services, Inc., Project Manager/Senior Geologist, 1995 - Present
Woodward-Clyde Consultants, Senior Staff Geologist, 1993 - 1995
USGS Water Resources, Field Geologist (Volunteer), 1992
University of Alabama, Graduate Teaching Assistant, 1990 - 1993
University of Alabama, Field Geologist, northern Alabama, 1991 - 1992
University of Alabama, Field Geologist, British Columbia, 1991
University of Alabama, Graduate Teaching Assistant, Western U.S., 1991

REPRESENTATIVE EXPERIENCE

Mr. Hassler joined the staff of Spectrum Environmental Services, Inc. as a Project Manager/Geologist and has worked primarily with commercial and heavy industrial clients. Prior to joining Spectrum, Mr. Hassler served as a Senior Staff Geologist for Woodward-Clyde Consultants in Jackson, Mississippi and Mobile, Alabama. Mr. Hassler is well versed managing groups of professionals in the acquisition, analysis, and interpretation of geological and hydrogeological data.

LINEAR ASSESSMENT EXPERIENCE

Mr. Hassler has been part of professional teams that worked at and between pipeline compressor stations located in Louisiana, Mississippi, Alabama, and Tennessee. Activities conducted at these facilities included environmental auditing and compliance with applicable regulations, phased environmental site assessments, intrusive site assessments (soil/groundwater/ecological), remediation, and waste characterization and disposal. Mr. Hassler was also responsible for client interaction and where necessary, mediation with applicable Federal and/or State agency personnel.

DNAPL ASSESSMENT EXPERIENCE

Mr. Hassler has been part of professional teams that worked throughout the southeastern United States. Activities conducted included environmental auditing and compliance with applicable regulations, phased environmental site assessments, intrusive site assessments (soil/groundwater/ecological), remediation, and waste characterization and disposal. Mr. Hassler was also responsible for client interaction and where necessary, mediation with applicable Federal and/or State agency personnel.

Pesticide Manufacturing Facility – Confidential Client – Cleveland, Mississippi

Mr. Hassler was the site manager/geologist during the initial Phase I Environmental Site Assessment (Phase I) of the project. During the Phase I, Mr. Hassler discovered that the site had been previously used for the manufacture of pesticides; including DDT and Toxaphene. Mr. Hassler prepared work plans to assess the site in phases, then coordinated and provided oversight of the plan implementation. Activities included the collection of soil samples and the installation of Type II and Type III groundwater monitoring wells.

Pesticide Release – Confidential Client – Baxterville, Mississippi

Mr. Hassler was the site manager/geologist in response to the burial of drums containing Lindane. Mr. Hassler was in charge of the initial source area investigation and source area excavation. Responsibilities included material characterization and profiling and the coordination of the transportation and disposal of the excavated material. Subsequently, Mr. Hassler worked with MDEQ in the preparation of groundwater quality assessment work plans and the implementation of these plan. During the course of investigative actions, Type II well, double-cased wells (Type III) and triple cased wells were installed and sampled. Mr. Hassler also designed and implemented a hydrogeological assessment of the site include slug testing, aquifer testing, and the evaluation/reporting of the data. Mr. Hassler also designed and oversaw the installation of the groundwater treatment system still in operation at the site.

Chlorinated Solvent Release – Confidential Client – Birmingham, Alabama

Mr. Hassler is the Alternate Project Coordinator on the above site that is being monitored by the USEPA. Mr. Hassler was responsible for the preparation of preliminary work plans for review and approval by the client and the EPA. Upon approval from EPA, Mr. Hassler provided primary oversight of field activities including soil and groundwater sampling. Direct push, hollow-stem, and air rotary drilling techniques were used for the collection of soil samples and the installation of peizometers, Type II wells, and Type III wells. Mr. Hassler also designed and implemented slug testing and aquifer testing appropriate for a Karst terrain. Upon completion of field activities, Mr. Hassler was responsible for the reporting of the data to client and Federal Environmental Agencies. At the present time, the assessment has been completed and Mr. Hassler is overseeing the collection of additional field data for a Risk-Based Assessment and CAP Development.

AREAS OF INVOLVEMENT/RESPONSIBILITY

Project Budgeting and Reporting,
Management of Projects and a staff of environmental professionals,
Administrative Duties,
Coordination with Federal, State, and local environmental agencies,
Environmental Auditing/Risk Management,
Regulatory Compliance Analysis and Planning,
Best Management Practices (BMP) and Spill Prevention Control and Countermeasures (SPCC) Plan
Development and Implementation,
Phase I, II, and III Environmental Site Assessments,
Development, Planning, Oversight, and Management of Phase III Remediation Projects,
NPDES Permitting – Technical Assistance,
Stormwater Management Services including: Permitting, Sampling, and Training,
Underground Storage Tank (UST) Assessment and Remediation,
Alabama Tank Trust Fund Management including: Preliminary Investigations, Secondary Investigations,
and Corrective Action Plan Development and Implementation,

SIGNIFICANT ACHIEVEMENTS/PROJECTS

Project Manger on more than 200 Phase I and Phase II Environmental Site Assessment Project throughout the U.S. Principal duties included directing and implementing all project activities, controlling the project budget, and maintaining client communication throughout the project.

Project Manager on more than 50 MDEQ and Alabama Department of Environmental Management (ADEM) Trust Fund sites. Duties included preparation of Plans and Cost Proposals, coordination of all field activities, development and implementation of Corrective Action Plans, performance of all hydrogeologic evaluations and interpretation of data, generation of reports, and the preparation of all invoicing.

Project Manager responsible for the preparation of Corporate SPCC Plan for a major independent service company that incorporated the notification and reporting requirements from three (3) states.

Project Manager on Military Projects at Eglin Air Force Base in Fort Walton Beach, Florida, and the Joint Readiness Training Center in Fort Polk, Louisiana. Projects included the preparation of SPCC Plans and an Environmental Audit at Fort Polk, and numerous soil and groundwater assessments at Eglin Air Force Base. Primary Duties included the coordination of all project activities with base personnel, oversight of all project activities, and preparation of the reporting requirements.

PROFESSIONAL AFFILIATIONS AND TRAINING

Alabama Professional Geologist Registration – ALPG 409
Remediation in Fractured Bedrock Terrains (NGWA Course) - 2004
Advanced Groundwater Modeling (NGWA Course) – 2000
GMS Groundwater Modeling Training – 1999
Risk Based Corrective Action (RBCA) Short Course - R.A.M. Group - 1996
Treatment Technology for Soil & Groundwater - NGWA Short Course - 1995
Phase I Environmental Site Assessment Course - 1994
OSHA 40 Hour Hazardous Waste Workers Training – Since 1993
National Groundwater Association – 1998 to current

Adam Ulishney
Spectrum Environmental, Inc.
Staff Geologist

EDUCATION

Clarion University of Pennsylvania-B.S. Environmental GeoScience 2001
University of North Dakota-M.S. Geology 2005

REPRESENTATIVE EXPERIENCE

Mr. Ulishney joined the staff of Spectrum Environmental, Inc. in May 2006 as a Staff Geologist and has worked with residential, commercial, and heavy industrial clients.

AREAS OF INVOLVEMENT/RESPONSIBILITY

Coordination with Federal, State, and local environmental agencies,
Best Management Practices (BMP) and Spill Prevention Control and Countermeasures (Plan) Development and Implementation,
Phase I Environmental Site Assessments,
Phase II Environmental Site Assessments,
Conducting field activities including Monitoring well installation, Soil Sampling via Geoprobe,
Groundwater sampling using low-flow techniques, and quality assurance/quality control implementation.

SIGNIFICANT ACHIEVEMENTS/PROJECTS

Project Manager on several Phase I Environmental Site Assessment Projects throughout Alabama. Principal duties included controlling the project budget, visiting and inspecting sites, report production, and maintaining client communication throughout the project.

Professional paper and presentation to the American Association of Petroleum Geologists on the topic of Depositional Environments of the Newcastle Formation (Lower Cretaceous) Williston Basin, North Dakota and Montana.

OTHER PROFESSIONAL EXPERIENCE

Field Professional
Advanced GeoServices Corporation, West Chester, Pennsylvania May 2005-May 2006

- Conducted various field-sampling techniques to obtain groundwater, soil, air, and concrete samples.
- Provided quality assurance oversight, construction oversight, client representation, field engineering, and contractor coordination at various remediation sites in correspondence with regulatory agencies.
- Determinations of bed orientations, joint pattern, and fault alignments for the structural geologic interpretation of a quarry.
- Provided basic engineering properties of soil using Unified Soil Classification System.
- Responsible for report development, field documentation, and the construction of groundwater elevation maps and soil boring logs.

Graduate Teaching Assistant
University of North Dakota, Grand Forks, North Dakota

August 2001-May 2005

- Assisted professors in the following lab courses: Physical Geology, Historical Geology, Geology for Engineers, and Sedimentary Stratigraphy
- Prepared and instructed students during geology labs
- Evaluated student performances and prepared tests and quizzes
- Acted as an educational tour guide for elementary, junior, and high school students

Graduate Research Assistant
University of North Dakota, Grand Forks, North Dakota

Summer 2003-Summer 2004

- Analyzed and assessed bank slope stability along the Red River and Turtle River
- Surveyed these areas using a laser level and digital laser
- Determined flow rate, bank full height, and stream topography
- Produced topographic maps using Surfer 8 Software

Geologic Field Studies
South Dakota School of Mines, Rapid City, South Dakota Engineering Field Camp

Summer 2002

- Produced geologic maps using a Brunton compass and a Jacob's Staff
- Evaluated road cuts, landslides, building and mining sites within the area
- Assessed flood control for Sand Creek and slope stability around Cook Lake

Geologic Technician
University of North Dakota, Grand Forks, North Dakota

Fall 2001

- Conducted field studies of the Red River in Grand Forks, ND and East Grand Forks, MN for the Greenway Project as a directed studies course in digital mapping
 - Proposed locations for trails along the Red River
- Constructed maps using ArcView based on GPS

PROFESSIONAL TRAINING

MSHA Training-2006
OSHA 40 Hour Hazardous Waste Workers Training – 2005

16.0 APPENDIXES

The following appendices are included and attached to this report:

Appendix A: Figures

Appendix B: Site Reconnaissance Photographs

Appendix C: Historical Research Documentation

Appendix D: Regulatory Records Documentation

Appendix E: Interview Documentation

Appendix F: Jurisdictional Evaluation Report